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U.S.D.C. - Gainesville

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

**MAY 12 2016**

JAMES N. HATTEN, Clerk  
By: *D. Wilford* Deputy Clerk

JOANN TITONE,

Plaintiff,

v.

ORION CONSTRUCTION GROUP,  
LLC, A GEORGIA LIMITED  
LIABILITY COMPANY, AND RALPH  
JAMES EAGEN, INDIVIDUALLY,

Defendants.

CIVIL ACTION FILE

NO. 2:15-CV-00157-WCO

**ORDER APPROVING SETTLEMENT AGREEMENT AND  
DISMISSING CASE WITH PREJUDICE**


This case involves claims under the Fair Labor Standards Act, 29 U.S.C § 201, *et seq.* This matter is before the Court upon the Joint Motion for Approval of Settlement Agreement And For Order Of Dismissal With Prejudice ("Joint Motion") of the parties for the approval of their compromise and settlement of this action.

The Court acknowledges that this Order is a judicial approval of a reasonable compromise, not a finding, conclusion, or reflection of any admission of a violation of the Fair Labor Standards Act, willful, intentional, or otherwise. The Court has reviewed the Parties' Joint Motion and the Settlement Agreement and Release ("Settlement Agreement"). The Court is of the opinion that there are *bona fide* disputes over application of the relevant provisions of the Fair Labor

Standards Act, 29 U.S.C. § 201, *et seq.* In light of these legitimate disputes, the Court is of the opinion that the parties' Settlement Agreement reflects a fair and reasonable resolution of these *bona fide* disputes. Consequently, the Court ORDERS as follows:

1. The Court GRANTS the parties' Joint Motion.
2. The Court APPROVES the form of the Settlement Agreement.
3. The Court APPROVES the monetary distribution as to Plaintiff and Plaintiff's counsel as described in the Settlement Agreement and ORDERS Defendant to make payments accordingly.
4. This case is hereby DISMISSED WITH PREJUDICE with each party to bear her or its own expenses and attorneys' fees as provided in the Settlement Agreement.
5. The Court RETAINS JURISDICTION over this matter for the purposes of enforcing the terms of the parties' Settlement Agreement.

DONE and ORDERED this 12<sup>th</sup> day of May, 2016.

  
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WILLIAM C. O'KELLEY  
UNITED STATES DISTRICT JUDGE